

Planning Commission Meeting  
December 15, 1988  
Verbatim Excerpts

FDP-C-448-8 - KINGSTOWNE LIMITED PARTNERSHIP

Decision Only During Commission Matters

Commissioner Sell: Mr. Chairman, on October 21, 1988, the Planning Commission held a public hearing on Final Development Plan C-448-8 for a portion of Section 12 of Kingstowne. At that time, we had a staff recommendation for denial and the Commission deferred decision pending a resolution of two outstanding issues. Those issues were, a discrepancy between the limits of clearing and grading shown on the submitted FDP and the site plan being concurrently processed with the FDP, and also the location of some recreational facilities within the powerline easement. I might add -- point out, that since that time the final development plan for this portion of section 12 has undergone and been accepted by the Geotechnical Review Board. In Lee District when we're dealing with soil problems, we like to get the Geotechnical Review Board Report prior to approval of rezonings or final development plans. A staff report addendum was distributed last night. The staff is now recommending approval of this case, subject to some conditions, some three conditions in attachment 6. Mr. Braham is here from the staff, and I wonder if he'd like to have anything he'd like to add.

Mr. Braham: No, sir, Mr. Sell.

Commissioner Sell: Staff is satisfied that the limits of grading and clearing shown on the FDP now are in conformance; it has been through the geotechnical review. The issue of the tot lot and the multi-use court in the Virginia Power transmission line right-of-way was an issue that was raised by the Park Authority. I asked for additional information about that problem that they have with locating those recreation facilities within the powerline easement, and got a rather lengthy report back from both the Park Authority and the staff. And frankly, after reading it, don't know a whole lot more or come to any more conclusion than I had in the beginning, which really was -- there was no evidence on either side to really -- there wasn't strong enough evidence to convince me that these facilities should be totally moved. So, what I'm going to do, there is a report out in New York that talks about the possibility of problems with young children under transmission lines and them being exposed to radiation for long periods of time. I don't think that's going to happen here, but in order to be safe, and make sure, we're going to move the tot lot out of the -- from underneath the transmission line either into this section of, of -- Section 12 of Kingstowne, that's before us, or as part of the overall Section 12 when that final development plan comes forward. So I think we've got everything squared away in this case, Mr. Chairman, so I would MOVE THAT THE PLANNING COMMISSION APPROVE FDP-C-448-8, SUBJECT TO THE DEVELOPMENT CONDITIONS IN ATTACHMENT 6 OF THE STAFF ADDENDUM. I WOULD MAKE SOME CHANGES, I said three conditions, there are two. One was rather lengthy and it was long enough to be two but it isn't. There are two conditions and I WOULD CHANGE #2 TO READ: "THE TOT LOT SHOWN ON THE FDP SHALL BE RELOCATED TO

ANOTHER LOCATION, NOT DIRECTLY UNDER THE POWERLINE. THE NEW LOCATION MAY BE WITHIN THE PORTION OF SECTION 12 WHICH IS NOT INCLUDED IN THIS FINAL DEVELOPMENT PLAN. IF THAT IS THE CASE, THE LOCATION OF THE TOT LOT SHALL BE SPECIFIED PRIOR TO THE APPROVAL OF THE FINAL DEVELOPMENT PLAN FOR THE SECOND PORTION OF SECTION 12. TO FURTHER INSURE THAT THE TOT LOT IS PROVIDED, IT SHALL BE BONDED AS PART OF THE BOND AGREEMENT FOR THE CONSTRUCTION OF THE AREA INCLUDED IN THIS FINAL DEVELOPMENT PLAN. ALL RECREATIONAL FACILITIES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE PROVISIONS OF THE PUBLIC FACILITIES MANUAL UNLESS SPECIFICALLY WAIVED OR MODIFIED BY FAIRFAX COUNTY." And that is my first motion, Mr. Chairman.

Commissioner Murphy: Second.

Chairman Lilly: Seconded by Mr. Murphy. Discussion of the motion? Is this the one I had the note that would just take only a minute?

Commissioner Sell: You timing me?

Chairman Lilly: Yes. If not, all those in favor of the motion say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Mr. Sell.

Commissioner Sell: Mr. Chairman, I also MOVE THAT THE PLANNING COMMISSION REAFFIRM THE PREVIOUSLY APPROVED WAIVER OF THE 600-FOOT LIMITATION OF THE LENGTH OF PRIVATE STREETS.

Commissioner Murphy: Second.

Commissioner Byers: Second.

Chairman Lilly: Seconded by Mr. Murphy and Mr. Byers. All those in favor of that motion say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Mr. Sell.

Commissioner Sell: I also MOVE THAT THE PLANNING COMMISSION DIRECT THE DIRECTOR OF DEM TO MODIFY THE TRANSITIONAL SCREENING YARD AND BARRIER REQUIREMENTS ALONG THE LINCOLN HEIGHTS SUBDIVISION IN ACCORDANCE WITH THE PROPOSED DEVELOPMENT CONDITIONS CONTAINED IN ATTACHMENT 6 OF THIS REPORT.

Commissioner Murphy: Second.

Chairman Lilly: Seconded by Mr. Murphy. All those in favor of that motion say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Mr. Sell.

Commissioner Sell: And, Mr. Chairman, one final motion, SHOULD IT BE NECESSARY TO -- TO BECOME NECESSARY WHEN WE MOVE THE TOT LOT, we don't have it finally placed yet, THAT THE DIRECTOR OF DEM BE AUTHORIZED TO WAIVE THE HUNDRED FOOT LIMITATION FROM DWELLING UNIT FOR LOCATION OF THE TOT LOT.

Commissioner Murphy: Second.

Chairman Lilly: Seconded by Mr. Murphy. All those in favor of that motion say aye.

Commissioners: Aye.

Chairman Lilly: Opposed? The motion carries. Anyone else?

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(The motions passed unanimously with Commissioner Thillmann absent from the meeting.)

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